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Subject: Serial No. 08/460,715

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CERTIFICATE OF TRANSMISSION

I hereby certify that a replacement copy of the Amendment dated November 30, 1998, is being facsimile transmitted to the U.S. Patent and Trademark Office on June 18, 1999.

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Replacement
Paper No. 13
JC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Michael MACH et al.)
Serial No.: 08/460,715) Group Art Unit: 1643
Filed: June 2, 1995) Examiner: D. Lee
For: STRUCTURAL PHOSPHO-)
PROTEIN (PP28) OF HUMAN)
CYTOMEGALOVIRUS (HCMV), THE)
PREPARATION AND USE THEREOF)

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT

Sir:

In response to the Office Action dated September 1, 1998, please amend this application as follows:

In The Claims:

Please cancel claims 5, 17, and 18 and enter new claims 19-24 as follows:

--19. A DNA structure encoding HCMV pp28, or immunogenic parts thereof, wherein said DNA does not comprise the 6.5 kB HindIII R fragment from the genome of human cytomegalovirus strain Ad169.

20. A DNA structure encoding an HCMV pp28 fusion protein.

21. A DNA structure encoding HCMV pp28, or immunogenic parts thereof, wherein said construct is capable of bringing about the expression of said HCMV pp28 or immunogenic parts thereof.

22. Prokaryotic or eukaryotic cells which are transformed with the DNA structures of

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